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REMARKS

This is a response to the Office Action mailed October 4, 2005. Claims 1, 2, 10, 12-16, and 22-28 are pending in the application. Claims 1-16 have been rejected by the Examiner. As noted above, applicants have amended Claims 1 and 10. Claims 17-21 are withdrawn from consideration. Claims 22-28 have been added. Claims 3-9 and 11 are canceled. The amendments and new claims are fully supported by the written description.

Restriction Requirement

Applicant acknowledges the provisional election made without traverse to prosecute the invention of Group I, claims 1-16.

Claim Rejections 35 U.S.C. § 102(b) - Rosenbluth

The Examiner has rejected Claims 10 and 12 under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent No. 4,762,128 to Rosenbluth. Applicant respectfully disagrees.

Claim 10 recites "the mechanism being configured to push the opposing end of the tubular member to cause the tubular member to be laterally compressed and expand outwardly to engage an inner surface of the stent." The Examiner indicates that Rosenbluth discloses a "fixture including a hollow tubular member (8) configured to be inserted into a longitudinal bore of a stent (18); a rod (2, 12) extending through the tubular member; and a pressurized fluid supply mechanism ... to cause the tubular member to expand and contract." Rosenbluth states:

Inflation lumen 5 is in fluid communication at the distal end thereof with the interior 7 of an expandable balloon 8 by means of at least one inflation duct 9 through the wall 10 of the catheter proximal lumen 5 and adjacent the interior surface of balloon 8. Similarly, vent lumen 6 is in fluid communication with the

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interior 7 of balloon 8 by means of at least one vent duct 11, proximal to inflation duct 9. col. 5, lines 18-25.

Rosenbluth teaches filling of “interior 7” of “balloon 8.” Rosenbluth does not teach the above-mentioned feature of claim 10. Therefore, claim 10 is patentably allowable over Rosenbluth. Claim 12 depends from Claim 10 and is allowable for at least the same reason that claim 10 is allowable.

Claim Rejections 35 U.S.C. § 102(b) – Lorentzen Cornelius et al.

The Examiner has rejected Claims 10-12, 14, and 16 under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent No. 6,270,504 to Lorentzen Cornelius et al. Applicant respectfully disagrees.

The Examiner states that Lorentzen Cornelius et al. discloses a “fixture including a hollow tubular member (14) configured to be inserted into a longitudinal bore of stent (20); a rod (18) extending through the tubular member; and a mechanism (see col. 4, lines 4 to line 25) to cause the tubular member to expand and retract to support the stent.” Lorentzen Cornelius et al. do not teach the above-mentioned feature of claim 10. Therefore, claim 10 is patentably allowable over Lorentz Cornelius et al. Claim 12 depends from Claim 10 and is allowable for at least the same reason that claim 10 is allowable. Please remove the anticipation rejection of Claims 10 and 12.

Claim 11 is canceled.

Claim 14 recites the feature “wherein the movement of the rod in and out of the mandrel base causes the engagement and disengagement of the support element with the stent.”

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Lorentzen Cornelius et al. do not teach or suggest the above-mentioned feature of Claim 14. In particular, the section of Lorentzen Cornelius et al. at col. 4, lines 4 to line 25 does not teach or suggest “movement of the rod in and out of the mandrel base causes the engagement and disengagement of the support element with the stent.” Lorentzen Cornelius et al. do not teach the above-mentioned feature of claim 14. Therefore, claim 14 is patentably allowable over Lorentzen Cornelius et al. Claim 16 depends from Claim 14 and is allowable for at least the same reason that claim 14 is allowable. Please remove the anticipation rejection of Claims 14 and 16.

Claim Rejections 35 U.S.C. § 102(e)

The Examiner has rejected Claims 1, 2, 4, 6, 8, and 9 under 35 U.S.C. § 102 (e) as being anticipated by U.S. Patent Appl. Pub. 20040213893 to Boulais. Applicant respectfully disagrees.

The Examiner states that Boulais discloses “an expansion causing mechanism (col. 4, [0024]) capable of expanding the masking element.” Boulais states “either gas or hydraulic pressure may be applied to inflate balloon 6.” Para. 24 of Boulais. Claim 1 recites “wherein the expansion causing mechanism comprises a rod having a threaded portion, supporting the masking element and; a nut such that the rotation of the nut on the threaded portion of the rod compresses the masking element in a lateral direction, the compression causing the masking element to radially expand.” Boulais does not teach the above-mentioned feature of claim 1. Therefore, claim 1 is patentably allowable over Boulais. Claim 2 depends from Claim 1 and is allowable for at least the same reason that claim 1 is allowable. Please remove the anticipation rejections of Claims 1 and 2.

Claims 4, 6, 8, and 9 have been canceled.

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Claim Rejections 35 U.S.C. § 103(a)

Claims 3 and 5

The Examiner has rejected Claims 3 and 5 under 35 U.S.C. § 103 (a) as being unpatentable over Boulais in view of U.S. Patent No. 5,578,048 to Pasqualucci et al. Applicant respectfully disagrees.

Claims 3 and 5 are canceled.

Claim 13

The Examiner has rejected Claim 13 under 35 U.S.C. § 103 (a) as being unpatentable over Rosenbluth in view of Boulais. Applicant respectfully disagrees. The Examiner has rejected Claim 13 under 35 U.S.C. § 103 (a) as being unpatentable over Lorentzen Cornelius et al. in view of Boulais. Applicant respectfully disagrees.

Claim 10 is patentably allowable over Rosenbluth. Boulais does not cure the deficiency of Rosenbluth with respect to Claim 10. Claim 13 depends from Claim 10 and is allowable for at least the same reason that claim 10 is allowable.

Claim 10 is patentably allowable over Lorentzen Cornelius et al. Boulais does not cure the deficiency of Lorentzen Cornelius et al. with respect to Claim 10. Claim 13 depends from Claim 10 and is allowable for at least the same reason that claim 10 is allowable.

Claim 15

The Examiner has rejected Claim 15 under 35 U.S.C. § 103 (a) as being unpatentable over Lorentzen Cornelius et al. in view of U.S. Patent No. 6,575,933 to Wittenberger et al. Applicant respectfully disagrees.

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Claim 14 is patentably allowable over Lorentzen Cornelius et al. Wittenberger et al. do not cure the deficiency of Lorentzen Cornelius et al. with respect to Claim 14. Claim 15 depends from Claim 14 and is allowable for at least the same reason that claim 14 is allowable.

Claims 1, 2, and 4-9

The Examiner has rejected Claims 1, 2, and 4-9 under 35 U.S.C. § 103 (a) as being unpatentable over Wittenberger et al. in view of Boulais. Applicant respectfully disagrees.

The Examiner states that Wittenberger et al. teaches a “balloon type catheter” with “an expansion causing mechanism (col. 6, lines 30-43 [0024]).” Claim 1 recites an “expansion causing mechanism comprises a rod having a threaded portion, supporting the masking element and; a nut such that the rotation of the nut on the threaded portion of the rod compresses the masking element in a lateral direction, the compression causing the masking element to radially expand.” Wittenberger et al. in view of Boulais does not teach or suggest the above-mentioned feature of claim 1. Therefore, claim 1 is patentably allowable over Wittenberger et al. in view of Boulais. Claim 2 depends from Claim 1 and is allowable for at least the same reason that claim 1 is allowable.

Claims 4-9 are canceled.

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CONCLUSION

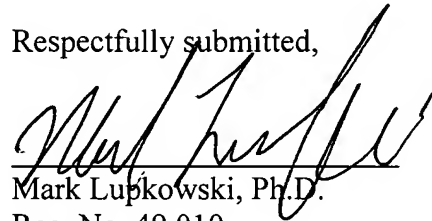
Claims 1, 2, 10, 12-16, and 22-28 are pending in this application. Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests the Examiner to enter the foregoing amendments and pass the case to issue.

If the Examiner has any questions or concerns, the Examiner is invited to telephone the undersigned attorney at (415) 954-0297.

Date: January 18, 2006

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark Lupkowski', is written over a horizontal line.

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